

APPLICATION GRANTED. Plaintiffs may serve defendants by serving the Order to Show Cause and supporting papers (including this Order) on the New York Secretary of State in lieu of personal service. They shall do so by August 25, 2021, and post proof of service on the ECF docket by that same date.

The Clerk shall terminate the letter-motion. (Doc. #24).

SO ORDERED.

Vincent L. Briccetti, U.S.D.J., 8/18/2021

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TRUSTEES AND FIDUCIARIES OF THE LABORERS' LOCAL NO. 17 DEFINED CONTRIBUTION FUND, THE LABORERS' LOCAL NO. 17 HEALTH CARE FUND, THE LABORERS LOCAL NO. 17 TRAINING FUND, THE LABORERS LOCAL NO. 17 SUPPLEMENTAL UNEMPLOYMENT FUND, THE LABORERS LOCAL NO. 17 LABORERS-EMPLOYERS EDUCATION AND COOPERATION TRUST FUND AND THE LABORERS LOCAL UNION NO. 17,

7:21-cv-01863-VB

August 17, 2021

**Plaintiffs**

-against-

CASA BUILDERS, INC. d/b/a FRIEDLANDER CONSTRUCTION and WOODLAND UNDERGROUND LLC d/b/a FRIEDLANDER CONSTRUCTION

**Defendants.**

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**MOTION TO ACCEPT SERVICE UPON SECRETARY OF STATE**

The Plaintiffs move the Court to accept service upon the New York Seeretary of State in lieu of personal service in accordance with the procedures of N.Y. Bus. Corp. Law § 306 and Article 3 of the N.Y. Limited Liability Company Law respectively. The Plaintiffs have made attempts to serve process on the Defendants at their last known business address and at the principal's last known residence, and both have been

unsuccessful. Both addresses appear to be no longer in use by Defendants per the affidavits of non-service attached hereto as Exhibit A. At this time, no forwarding address or subsequent address of either the Defendants or the principal of Defendants is known to Plaintiffs. For this reason, service by mail to these addresses is impractical. Consequently, Plaintiffs request permission to serve Defendants through the New York Secretary of State and further request that the deadline for service be extended to five (5) business days from the date of the ruling on this motion.

This motion is the Plaintiffs' second request for a postponement of the deadline to file proof of service and first request to allow an alternative method of service.

WHEREFORE, the Plaintiffs respectively request this Court to grant Plaintiffs permission to serve Defendants through the New York Secretary of State to extend the deadline to file proof of service to five (5) business days from the date of the Court's ruling on this motion.

THE PLAINTIFFS,

By:

/s/ Gregory S. Campora  
Gregory S. Campora, Esq. (514169)  
ROBERT M. CHEVERIE &  
ASSOCIATES, P.C.  
333 East River Drive, Suite 101  
East Hartford, CT 06108  
Tele. No.: (860) 290-9610  
Fax No.: (860) 290-9611  
E-mail: gcampora@chevierielaw.com